

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13126 of 2015

=====

Rameshwar Das Son of late Ranjeet Singh, Resident of Village- Gopi Chhapra, P.O.- Bhagwatia, P.S.- Kesariaya, District- East Champaran.

... .. Petitioner/s

Versus

1. Bihar State Board Of Religious Trust, Vidyapati Marg, Patna – 800 001.
2. The Chairman, Through the Bihar State Board of Religious Trust, Vidyapati Marg, Patna- 800001.
3. Circle Officer, Kotwa, District- East Champaran.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.Iii
For the Respondent/s : Mr. Ganpati Trivedi, Sr. Advocate

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-04-2019 This writ application has become infructuous as in fact the impugned order which is under challenge was valid only for a period of one year. While challenging the impugned order the petitioner has submitted that the Trust in question is not a public trust.

Learned senior counsel for the Bihar State Board of Religious Trust submits that the petitioner has not challenged the first part of the impugned order dated 04.12.2014 by which he was removed from the Trust. It is further submitted that so far as second part of the impugned order is concerned, even the same was an appealable order in terms of sub-section (3) of Section 28 of the Bihar Hindu Religious Trust Act, 1950 (hereinafter referred to as the “Act of 1950”). Learned senior



counsel further points out that if at all the petitioner has any dispute with respect to the nature of the Trust, he may seek his remedy by filing an appropriate application in terms of Section 28(2)(u) of the Act of 1950 before the Board.

In the aforesaid view of the matter, considering that the writ application in so far as it is against the impugned order is concerned, it has become infructuous and other submissions of the petitioner may be considered by the Board if an appropriate application is filed by the petitioner in terms of Section 28(2)(u) of the Act of 1950, this court finds no reason to entertain the present writ application.

The writ application is being disposed of with liberty to the petitioner to raise his grievance before the Board in accordance with law which will be considered by the Board within a reasonable period and shall take a decision thereon which will be communicated to the petitioner.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U			
---	--	--	--

